

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7563**

**BILL NUMBER:** SB 533

**NOTE PREPARED:** Feb 23, 2009

**BILL AMENDED:** Feb 19, 2009

**SUBJECT:** IOSHA and Labor Administrative Matters.

**FIRST AUTHOR:** Sen. Buck

**FIRST SPONSOR:**

**BILL STATUS:** 2<sup>nd</sup> Reading - 1<sup>st</sup> House

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State

**Summary of Legislation:** (Amended) *IOSHA*: The bill allows the Department of Labor (Department) to collect a penalty assessment assessed under the Indiana Occupational Safety and Health Act (IOSHA) by obtaining a judgment lien against an employer's real or personal property or levying upon an employer's property held by a financial institution.

The bill urges the Legislative Council to assign to the Pension Management Oversight Commission the study of certain wage payment issues.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:** (Revised) *IOSHA*: The fiscal impact of extending by 30 calendar days the time in which the Attorney General is required to file an action after receiving an IOSHA whistleblower discrimination complaint could reduce state expenditures. Currently, the Attorney General has 120 days to bring action in an Indiana circuit court.

**Explanation of State Revenues:** *IOSHA*: The provisions allow the Department greater flexibility in collecting penalties that might be assessed under IOSHA. The bill would allow a judgement lien against an employer's real or personal property. It is unknown how much additional revenue might be raised.

The fiscal impact of allowing the Department Commissioner to enter into an agreement with an employer concerning the correction or abatement of an IOSHA violation would depend on the violation and the agreement. The impact is unknown.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Labor; Attorney General.

**Local Agencies Affected:**

**Information Sources:**

**Fiscal Analyst:** Chuck Mayfield, 317-232-4825.